

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

MELINDA SERIN, ET AL.,)	CASE NO. 7:06CV01625
)	
Plaintiffs,)	JUDGE JAMES S. GWIN
)	
vs.)	ORDER
)	
NORTHERN LEASING)	
SYSTEMS, INC., ET AL.,)	
)	
Defendants.)	

This case is before this Court for trial. The Court now sets out an order indicating how the trial will proceed.

I. Allocation of Time for Testimony.

The Court allocates to plaintiffs and defendant 1100 minutes each for the presentation of their respective cases. The voir dire will not count against this total.

II. Interim Argument.

The Court is of the view that interim argument is very helpful to juries in

long and complex cases. This case fits that category. Consequently, each side will be permitted to present “interim argument” during the trial on the following basis. The argument may not exceed two minutes. When one side presents interim argument, the other side may, but is not required to, offer “interim argument” after the other side’s presentation with the same two-minute limit. Interim argument may only be presented after a witness has completed testimony. Time used in interim argument will not count against the time limits.

III. Opening Statements.

The Court allocates not more than 30 minutes to the parties for opening statements. For additional time, the parties must seek approval of the Court. The Court will postpone a decision on the allocation of time for closing argument until the close of the testimony.

IV. Modification of Time

The Court will entertain oral motions for additional time. Such motions should be made not sooner than halfway through the allotted time. The Court will be strongly influenced by how a moving party has used its time to date.

V. Length of the Trial Day.

The impanelment of the jury will commence at 8:30 a.m., on November 15, 2010. On the following days, the Court will commence the trial at 8:30 a.m. The recess at noon will be for 30-40 minutes. The Court will recess from 4:00 to 5:00 p.m., depending on the situation as to other matters that the Court might need to consider.

VI. Size of the Jury.

The Court will impanel a jury of eight given the anticipated length of the trial.


VII. Additional Deadlines

Pursuant to the telephone conference call on this date the following deadlines are set:

- a) the parties shall file witness lists by Tuesday, October 5, 2010;
- b) defendants' Daubert motion shall be filed by November 1, 2010, and plaintiffs' response shall be filed by November 8, 2010.

IT IS SO ORDERED.

Dated: September 28, 2010



JAMES S. GWIN
UNITED STATES DISTRICT JUDGE